

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WINERIES OF THE OLD MISSION PENINSULA	)	
ASSOCIATION, <i>et al.</i>	)	
Plaintiffs,	)	
	)	No. 1:20-cv-1008
-v-	)	
	)	Honorable Paul L. Maloney
PENINSULA TOWNSHIP,	)	
Defendant,	)	
	)	
and	)	
	)	
PROTECT THE PENINSULA, INC.,	)	
Intervenor-Defendant.	)	
	)	

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**ORDER ACCEPTING MOTION TO DISMISS**

Following the reversal of this Court’s denial of Protect the Peninsula, Inc.’s (“PTP”) motion to intervene, the Court must address PTP’s proposed motion to dismiss (ECF No. 56-1), which was originally filed before the Court decided the motion to intervene. *See Wineries of the Old Mission Peninsula Ass’n v. Twp. of Peninsula*, 41 F.4th 767, 777 n.4 (6th Cir. 2022) (“Because we hold that Protect the Peninsula may intervene, we do not reach the issue of whether the district court erred in denying the organization’s motion to supplement its motion to intervene. Instead, Protect the Peninsula is free to raise its argument regarding supplemental jurisdiction to the district court, which should decide it in the first instance.”).

Given this direction from the Sixth Circuit, the Court **ACCEPTS** PTP’s proposed motion to dismiss (ECF No. 56-1) for filing. In accordance with this district’s local rules,

Plaintiffs must respond to the motion to dismiss within **28 days** after the Clerk of Court docketes the motion. W.D. Mich. LCivR 7.2(c). The Township may respond to the motion to dismiss in the same time period. PTP may then reply to the response(s) within 14 days.

*Id.*

**IT IS SO ORDERED.**

Date: August 23, 2022

/s/ Paul L. Maloney

Paul L. Maloney  
United States District Judge